

BOX AF  
RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3764

PATENT  
Attorney Docket No. 101.0053-00000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*#29/Amdt. D (NZ)*

In re Application of: )  
Gary K. Michelson )  
Serial No.: 08/480,908 ) Group Art Unit: 3764  
Filed: June 7, 1995 ) Examiner: M. Brown  
For: THREADED FRUSTO-CONICAL )  
INTERBODY SPINAL FUSION )  
IMPLANTS )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REPLY TO OFFICE ACTION AND REQUEST  
FOR WITHDRAWAL OF IMPROPER FINALITY**

In reply to the improper Final Office Action dated July 16, 2001, Paper No. 26,  
please amend the application as follows:

**IN THE CLAIMS:**

Please cancel claims 120 (both occurrences) without prejudice or disclaimer of  
their subject matter and amend the claims (with the changes as shown in the  
attachment) as follows:

40. (Twice Amended) The spinal fusion implant of claim 39 in which said internal  
chamber is capable of containing fusion promoting material.

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